

1 Fred Hickman (#124406)
2 fredhickman@gmail.com
3 17602 17th St Ste 102-206
4 Tustin CA 92780
5 714-315-1565; fax 714-838-0835
6 Attorney for:
7 Defendants Emil Assentato and
8 Tax Deed Enterprises, LLC, a Delaware
9 limited liability company
10

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION

14 CLINTON BROWN,
15 PLAINTIFF,

16 VS.

17 EMIL ASSENTATO, TAX DEED
18 ENTERPRISES LLC, STEVE WEERA
19 TONASUT TRUST,

20 DEFENDANTS.

Case No.:LACV23-02972-MEMF(KSx)

NOTICE OF MOTION BY TO
DISMISS, FOR LACK OF STANDING
LACK OF JURISDICTION, FAILURE
TO STATE A CLAIM, AND UNDER
RULES 12 (B) (1), 12(B)(6) AND 9(B)
AND/OR FOR A MORE DEFINITE
STATEMENT UNDER RULE 12(E) AS
TO THE COMPLAINT, [DOC. #1],
FILED FOR DEFENDANTS
ASSENTATO AND TAX DEED
ENTERPRISES

[FILED WITH MEMO OF POINTS,
REQUEST FOR JUDICIAL NOTICE,
AND PROPOSED ORDER LODGED]

DATE: September 21, 2023
TIME: 10:00 A.M.
CTRM: 8B

21 TO PLAINTIFF, ALL PARTIES, THE CLERK OF THE COURT AND THE
22 HONORABLE MAAME EWUSI-MENSAH FRIMPONG, DISTRICT JUDGE:
23
24
25

26 NOTICE OF MOTION AND MOTION TO DISMISS BY ASSENTATO AND TAX DEED ENT.

[BROWN VS. ASSENTATO] #LACV23-02972

1 PLEASE TAKE NOTICE that on SEPTEMBER 21, 2023, at 10:00
2 a.m. in Courtroom 8B of this court, located at United States Courthouse, 350 W.
3 First Street, 8th Floor, the Honorable MAAME EWUSI-MENSAH FRIMPONG,
4 District Judge, presiding, the Defendants (1) Emil Assentato, an individual, and (2)
5 Tax Deed Enterprises, LLC, a Delaware limited liability company, will move the
6 Court for an order dismissing each of them from the complaint, and from each
7 claim thereof and dismissing the complaint itself entirely, or, in the alternative, a
8 more definite statement if not dismissed.

9 This motion is made for lack of standing and for lack of personal jurisdiction
10 for non-existence of a federal claim, under Rule 12(b)(1), and under Rule 12(b)(6),
11 not pleaded with facts sufficient to state a claim against Defendants, and not
12 pleaded sufficiently under Rule 9(b) (fraud pleading), nor for a securities law
13 claim, and also under Rule 12(e) for a more definite statement if not dismissed and
14 on those grounds herein.

15 Regarding conference of counsel, with the pro se plaintiff: under L.R. 7-3
16 and L.R. 16-12, as plaintiff is pro se in this case and is not an attorney, no
17 conference was held. I did not attempt it, as all attempts at meeting and conferring
18 with Plaintiff in pro se on the prior motion to dismiss I filed on behalf of Defendant
19 Tonasut were abortive, and Brown refused to so meet and confer. Mr. Brown
20 refuses to discuss the merits of the case in any meet and confer effort.

21 / / /
22
23
24
25
26
27
28

1 This motion is based on this notice, the memorandum of points and
2 authorities, the request for judicial notice, with the lodged proposed order, and on
3 argument if such occurs.

4 Date: July 14, 2023 Respectfully Submitted,

5 /s/ Fred Hickman

6 Fred Hickman
7 fredhickman@gmail.com
8 for: Defendants Emil Assentato and
9 Tax Deed Enterprises, LLC, a Delaware
10 limited liability company
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28